



1638

Docket No.: 12810-00379-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Volker Mittendorf et al.

Application No.: 10/523,503

Confirmation No.: 5918

Filed: July 13, 2005

Art Unit: 1638

For: SUGAR AND LIPID METABOLISM
REGULATORS IN PLANTS IV

Examiner: B. Baggot

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

The documents listed on the attached SB/08 are the documents cited in the Supplemental European Search Report, which had not been previously submitted, during the prosecution of European Application No. EP 03 76 7156, which corresponds to the above referenced application. In accordance with 37 CFR 1.97(b)(3), Applicants hereby submit these documents for the Examiner's consideration. A copy of each document required under 37 CFR 1.98(a)(2) is enclosed. A copy of the Supplemental European Search Report is also enclosed.

Please note that a copy of EP 1 033 405 A2 listed on the attached SB/08 is enclosed with the pages associated with the sequences cited in the Supplemental European Search Report. The total sequence listing for EP 1 033 405 A2 is 18,804 pages. The total sequence listing can be provided at any time to the Examiner. If agreeable to the Examiner, we can provide the total sequence listing on CD.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

Applicants believe no fee is due with this response. However, if a fee is due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 12810-00379-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

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(Based on PTO 04-07 version)

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete If Known			
		Application Number	10/523,503-Conf. #5918		
		Filing Date	July 13, 2005		
		First Named Inventor	Volker Mittendorf		
		Art Unit	1638		
		Examiner Name	B. Baggot		
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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-6,274,379- B1	08-14-2001	Famodu et al.	
	AB*	US-2002/0023281-A1	02-21-2002	Gorlach et al.	
	AC*	US-2002/0059663-A1	05-16-2002	Gorlach et al.	
	AD*	US-2004/0072159-A1	04-15-2004	Takaiwa et al.	
	AE*	US-2004/0086989-A1	05-06-2004	Badur et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-91/19806-A1	12-26-1991	Monsanto Company		
	BB	WO-94/11516-A1	05-26-1994	E.I. Du Pont De Nemours and Co.		
	BC	WO-94/28141-A1	12-08-1994	Long Ashton Research Station		
	BD	WO-96/07742-A1	03-14-1996	Asgrow Seed Co.		
	BE	WO-97/35983-A2	10-02-1997	Zeneca Ltd.		
	BF	WO-98/35044-A1	08-13-1998	National Research Council of CA		
	BG	WO-98/54954-A1	12-10-1998	Cargill, Inc.		
	BH	WO-98/59057-A1	12-30-1998	The General Hospital Corp.		
	BI	WO-99/41974-A1	08-26-1999	The Regents of the University of California		
	BJ	WO-99/53073-A2	10-21-1999	Broun, et al.		
	BK	WO-00/11012-A1	03-02-2000	Rutgers, The State Univ. of NJ		
	BL	WO-00/22092-A2	04-20-2000	Genesis Research and Development Corp. Ltd.		
	BM	WO-00/36117-A1	06-22-2000	E.I. Du Pont De Nemours and Co.		
	BN	EP-1 033 405-A2	09-06-2000	Ceres Inc.		
	BO	CA-2 307 960-A1	11-06-2000	Board of Trustees Operating Michigan State Univ.		
	BP	WO-01/35725-A1	05-25-2001	Mendel Biotechnology, Inc.		
	BQ	WO-01/66777-A1	09-13-2001	SweTree Genomics AB		
	BR	WO-01/77311-A2	10-18-2001	BASF Plant Science GmbH		
	BS	WO-02/10210-A2	02-07-2002	Bayer Aktiengesellschaft		
	BT	WO-02/16655-A2	02-28-2002	The Scripps Research Institute and Syngenta Participations AG		

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	BU	WO-02/31154-A1	04-18-2002	National Institute of Agrobiological Sciences and Bio-Oriented Tech. Research Advancement Institute		See US 2004/0072159 A1
	BV	WO-02/072848-A2	09-19-2002	Sungene GmbH & Co. KGAA		See US 2004/0086989 A1
	BW	WO-03/000898-A1	01-03-2003	Syngenta Participations AG		
	BX	WO-03/008440-A2	01-30-2003	Syngenta Participations AG		
	BY	WO-03/027249-A2	04-03-2003	Syngenta Participations AG		
	BZ	WO-04/035798-A2	04-29-2004	CropDesign N.V.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	CA	ARONDEL, V., et al., "Lipid Transfer Proteins are Encoded by a Small Multigene Family in <i>Arabidopsis thaliana</i> ", Plant Science, Vol. 157, No. 1, (2000), pp. 1-12.		
	CB	BENSMIHEN, S., et al., "The Homologous ABI5 and EEL Transcription Factors Function Antagonistically to Fine-Tune Gene Expression during Late Embryogenesis", The Plant Cell, Vol. 14, No. 6, (2002), pp. 1391-1403.		
	CC	FINKELSTEIN, R.R., "Absciscic Acid-insensitive Mutations Provide Evidence for Stage-Specific Signal Pathways Regulating Expression of an <i>Arabidopsis</i> Late Embryogenesis-abundant (<i>lea</i>) Gene", Mol. Gen Genet, Vol. 238, No. 3, (1993) pp. 401-408.		
	CD	GAUBIER, P., et al., "Two Different <i>Em</i> -like Genes are Expressed in <i>Arabidopsis thaliana</i> seeds during Maturation", Mol. Gen Genet, Vol. 238, No. 3, (1993), pp. 409-418.		
	CE	JAKOBY, M., et al., "bZIP Transcription Factors in <i>Arabidopsis</i> " TRENDS in Plant Science, Vol. 7, No. 3, (2002), pp. 106-111.		
	CF	LI, X.P., "A Pigment-binding Protein Essential for Regulation of Photosynthetic Light Harvesting", Nature, Vol. 403, No. 6768, (2000), pp. 391-395.		
	CG	WANG, M.L., et al., "A Cluster of ABA-Regulated Genes on <i>Arabidopsis thaliana</i> BAC T07M07", Genome Research, Vol. 9, No. 4, (1999), pp. 325-333.		
	CH	" <i>Arabidopsis thaliana</i> At5g53970 mRNA Sequence", EMBL Database, Accession No. AY113848, June 5, 2002.		
	CI	" <i>Arabidopsis thaliana</i> unknown protein (At1g16850) mRNA, complete cds", EMBL Database, Accession No. AY080886, March 15, 2002.		
	CJ	" <i>Arabidopsis thaliana</i> unknown protein (At3q48410) mRNA, complete cds", EMBL Database, Accession No. AY065282, December 13, 2001.		
	CK	" <i>Arabidopsis thaliana</i> AT13g03380/T21P5_20 mRNA, complete cds", EMBL Database, Accession No. AY078951, March 13, 2002.		
	CL	" <i>Arabidopsis thaliana</i> cDNA clone:RAFL15-46-F10, 3'-end", EMBL Database, Accession No. AU228084, March 19, 2002.		

Examiner Signature		Date Considered	
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		First Named Inventor	Volker Mittendorf		
		Art Unit	1638		
		Examiner Name	B. Baggot		
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	CM	"Arabidopsis thaliana bZIP protein DPBF4 mRNA, complete cds", EMBL Database, Accession No. AF334209, March 19, 2001.	
	CN	"Arabidopsis thaliana partial mRNA for basic leucine zipper transcription factor (atbzip12 gene)", EMBL Database, Accession No. AJ420881, July 3, 2002.	
	CO	"Arabidopsis thaliana unknown protein (At1g02700) mRNA, complete cds", EMBL Database, Accession No. AY056328, October 2, 2001.	
	CP	"Arabidopsis thaliana At2g36580/F1011.21 mRNA, complete cds" EMBL Database, Accession No. AY069894, December 28, 2001.	
	CQ	"Arabidopsis thaliana putative phosphatidylglycerotransferase (At4g04870) mRNA, complete cds", EMBL Database, Accession No. AY059735, November 5, 2001.	
	CR	"Arabidopsis thaliana putative phosphatidate cytidyltransferase (At2g45150) mRNA, complete cds", EMBL Database, Accession No. AY050776, August 27, 2001.	
	CS	"Arabidopsis thaliana PsbS protein (PsbS) mRNA, complete cds", EMBL Database, Accession No. AF134131, May 5, 1999.	
	CT	"701555010 A. thaliana, Columbia Col-0, rosette-3 Arabidopsis thaliana cDNA clone 701555010, mRNA sequence", EMBL Database, Accession No. AI999223, September 9, 1999.	
	CU	"A. thaliana mRNA for gibberellin 20-oxidase (1425 bp)" EMBL Database, Accession No. X83381, December 7, 1995.	
	CV	"Arabidopsis thaliana cDNA clone:RAFL19-83-J04, 5'-end", EMBL Database, Accession No. AU239460, March 23, 2002.	
	CW	"Arabidopsis thaliana chromosome 2 clone F14N22 map mi551, complete sequence", EMBL Database, Accession No. AC007087, March 23, 1999.	
	CX	"Arabidopsis thaliana Atlg62710/F23N19_8 mRNA, complete cds", EMBL Database, Accession No. AY059156, October 26, 2001.	
	CY	"Arabidopsis thaliana clone 98340 mRNA, complete sequence", EMBL Database, Accession No. AY088879, June 14, 2002.	
	CZ	"Arabidopsis thaliana ERD9 mRNA for glutathione S-transferase, complete cds", EMBL Database, Accession No. AB039930, August 28, 2001.	
	CA1	"Arabidopsis thaliana At1g10370 mRNA sequence", EMBL Database, Accession No. AY091102, April 23, 2002.	
	CB1	"Arabidopsis thaliana chromosome 1 glutathione S-transferase (GST30) mRNA, complete cds", EMBL Database, Accession No. AF288191, November 6, 2000.	
	CC1	"A. Thaliana Em-like protein (Em6c2)", EMBL Database, Accession No. Z11924, May 18, 1993.	
	CD1	"Arabidopsis thaliana putative ABA-regulated protein ATEM6 (At2g40170) mRNA, complete cds", EMBL Database, Accession No. AF360157, March 22, 2001.	
	CE1	"Arabidopsis thaliana cysteine proteinase (GCP1) mRNA, complete cds", EMBL Database, Accession No. AY043294, August 26, 2001.	
	CF1	"Arabidopsis thaliana genomic DNA, chromosome 5, P1 clone: MJE7", EMBL Database, Accession No. AB020745, December 14, 1998.	
	CG1	"Arabidopsis thaliana unknown protein (At1g69460) mRNA, complete cds", EMBL Database, Accession No. AY114598, June 11, 2002.	
	CH1	"Arabidopsis thaliana At1g54870/F14C21_16 mRNA, complete cds", EMBL Database, Accession No. AY124852, July 8, 2002.	
	CI1	"Arabidopsis thaliana clone 35786 mRNA, complete sequence", EMBL Database, Accession No. AY087472, June 14, 2002.	
	CJ1	"Arabidopsis thaliana cDNA clone: RAFL19-41-A06, 5'-end", EMBL Database, Accession No. AU238975, March 23, 2002.	

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		Examiner Name	B. Baggot		
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CK1	"M55B3STM Arabidopsis developing seed Arabidopsis thaliana cDNA clone M55B3 5', mRNA sequence", EMBL Database, Accession No. BE524857, August 10, 2000.
CL1	"Glycine max seed maturation protein PM38 (PM38) mRNA, complete cds", EMBL Database, Accession No. AF169023, September 1, 1999.
CM1	"Arabidopsis thaliana cell division cycle protein (CDC48) mRNA, complete cds", EMBL Database, Accession No. U37587, October 16, 1995.
CN1	"Glycine max valosin-containing protein mRNA, complete cds", EMBL Database, Accession No. U20213, June 19, 1995.
CO1	"Arabidopsis thaliana DNA chromosome 4, contig fragment No. 75, EMBL Database, Accession No. AL161579, March 16, 2000.
CP1	"Arabidopsis thaliana cDNA clone: RZL54e10F, 3' end", EMBL Database, Accession No. AV548453, June 16, 2000.
CQ1	"Arabidopsis thaliana putative protein disulfide-isomerase (At2g47470) mRNA, complete cds", EMBL Database, Accession No. AY091388, April 22, 2002.
CR1	"Arabidopsis thaliana AT5g45690/MRA19_8 mRNA, complete cds", EMBL Database, Accession No. AY052317, September 6, 2001.
CS1	"Arabidopsis thaliana annexin (AnnAt1) mRNA, complete cds", EMBL Database, Accession No. AF083913, June 3, 1999.
CT1	"A. thaliana transcribed sequence; clone YAY177; 5' end; Similar to Corticosteroid 11-beta-dehydrogenase; rattus norvegicus", EMBL Database, Accession No. Z35038, July 8, 1994.
CU1	"Putative oxidoreductase", UniProt Database, Accession No. Q9T0G0, May 1, 2000.
CV1	"Arabidopsis thaliana unknown protein (At4g13010) mRNA, complete cds", EMBL Database, Accession No. AY117154, June 18, 2002.
CW1	"Arabidopsis thaliana At1g12010/F12F1_12 mRNA, complete cds", EMBL Database, Accession No. AY052694, September 6, 2001.
CX1	"Arabidopsis thaliana At5g01670 mRNA for putative aldose reductase, complete cds, clone: RAFL19-21-M03", EMBL Database, Accession No. AK118010, December 13, 2002.
CY1	"Nonspecific lipid-transfer protein 2 precursor (LTP 2)", GenBank, Accession No. Q9S7I3, December 1, 2000.
CZ1	"Poly [ADP-ribose] polymerase 3 (PARP-3) (ADPRT 3) (NAD(+) ADP-ribosyltransferase 3) (Poly[ADP-ribose] synthetase 3)", GenBank, Accession No. Q9FK91, November 28, 2006.
CA2	"Putative seed maturation protein", GenBank, Accession No. Q9SIN3, May 1, 2000.
CB2	"Vacuolar-processing enzyme beta-isozyme precursor (Beta-VPE)", GenBank, Accession No. Q39044, July 11, 2002.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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